

1                   BEFORE THE PUBLIC EDUCATION COMMISSION

2                                   STATE OF NEW MEXICO

3  
4           IN THE MATTER OF:

5           LUNA CHARTER ACADEMY

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9                                   TRANSCRIPT OF PROCEEDINGS  
10                                  CHARTER SCHOOL PUBLIC INPUT HEARING

                                  August 27, 2009

                                  3:57 p.m.

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                                  802 National Avenue

12                                  Las Vegas, New Mexico

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A P P E A R A N C E S

COMMISSIONERS:

MS. CATHERINE SMITH, Chair  
MR. M. ANDREW GARRISON, Vice Chair  
MS. KATHRYN KRIVITZKY  
MS. CAROLYN SHEARMAN  
MR. JEFF CARR  
MR. VINCE BERGMAN

STAFF:

DR. DON DURAN  
MR. SAM OBENSHAIN  
MR. MICHAEL C DE BACA  
MR. RUDOLPH ARNOLD, Attorney for PED  
MS. PATRICIA BUSTAMANTE, Attorney for PEC  
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1 THE CHAIR: I call the meeting to order  
2 without having my notebook open at the right page.  
3 But I'll get there. I call this meeting back from  
4 recess. The Public Education Commission is meeting  
5 for the purpose of a charter school public input  
6 hearing in Las Vegas, New Mexico, on August the  
7 27th, 2009.

8 I am going to ask the Commission members  
9 to give us their names and from what district they  
10 come in just a moment. I'm going to recognize  
11 Senator Campos. I know you're here for another  
12 purpose, but nevertheless, it's very nice to have  
13 you here with us, Senator.

14 SENATOR CAMPOS: Same here, Madam Chair.  
15 Thank you.

16 THE CHAIR: I also want to compliment the  
17 legislature for an action that you took. Prior to  
18 the last legislative session, when the Commission  
19 went throughout the state to the public hearings,  
20 the Attorney General told us that we had to have a  
21 quorum of six commissioners. And it didn't matter  
22 that, at one time, we were down to seven  
23 Commissioners. And that made it extremely difficult  
24 for us -- for us to meet.

25 And so the legislature changed that this

1 last year to three Commissioners. And as you will  
2 note, Senator, we have most of our Commissioners  
3 here anyway. We do not have with us today Mr. Gene  
4 Gant, whose brother-in-law passed away yesterday,  
5 nor Mrs. Mavis Price, who has had a great deal of  
6 loss in her family and sickness, illness in her  
7 family. And so those two people are not here.

8 Mrs. Millie Pogna was with us in  
9 Albuquerque, and I believe she's the only one who's  
10 missing. But, at this point, we'll commence our  
11 roll call, Ms. Krivitzky, with you. I think you're  
12 the first Commissioner over there.

13 MS. KRIVITZKY: My name is Kathryn  
14 Krivitzky. I'm the Commissioner for District 3  
15 which is the central Albuquerque area.

16 MR. BERGMAN: My name is Vince Bergman. I  
17 represent District 8, which is Chaves County,  
18 Lincoln County, Otero County, and all or part of  
19 five other counties. I'm out of Roswell.

20 MS. SHEARMAN: I'm Carolyn Shearman. I  
21 represent District 9, which is the far eastern slice  
22 of the state. And I'm from Artesia.

23 MR. GARRISON: Good afternoon, everybody.  
24 My name is Andrew Garrison. I represent District 1.  
25 And it's the whole west side of Albuquerque.

1 MR. CARR: I am Jeff Carr, and I represent  
2 District 10, which covers northern Santa Fe, up to  
3 Taos and over to Clayton.

4 THE CHAIR: Thank you. And I'm Catherine  
5 Smith. I represent District 6, which is the  
6 southwestern corner of New Mexico, with the  
7 exception of Dona Ana and Sierra Counties.

8 And so we do have a quorum of the  
9 Commission. We also have the necessary three  
10 members of the Commission to hold this public input  
11 hearing. And so, at this time, are we going to do  
12 the Pledge of Allegiance?

13 DR. DURAN: It's right over there.

14 THE CHAIR: Oh, there it is. Okay. So if  
15 you would rise, ladies and gentlemen.

16 (Pledge of Allegiance and  
17 Salute to the New Mexico Flag.)

18 THE CHAIR: Thank you, Mr. Garrison. Wow,  
19 I think everybody participated in the State pledge.  
20 That was really nice, folks. Thank you. All right.  
21 We're to Item 4 on our agenda. The purpose of this  
22 hearing is to solicit both written and oral input on  
23 a proposed charter. In accordance with the Charter  
24 Schools Act, quote, "The Commission shall receive  
25 applications for initial chartering and renewals of

1 charter for charter schools that want to be  
2 chartered by the state and approve or disapprove  
3 those charter applications." End of quote. And  
4 this is a citation from 22-8B-16, New Mexico  
5 Statutes Annotated, 1978.

6 In addition the Charter School Act states  
7 that, quote, "The chartering authority shall hold at  
8 least one public hearing in the school district in  
9 which the charter school is proposed to be located  
10 to obtain information and community input to assist  
11 in its decision whether to grant a charter school  
12 application. Community input may include written or  
13 oral comments in favor of, or in opposition to, the  
14 application from the Applicant, the local community,  
15 and, for State-chartered schools, the local school  
16 board and school district in whose geographic  
17 boundaries the charter school is proposed to be  
18 located." End of quote.

19 And this is a citation from 22-8B-6,  
20 New Mexico Statutes Annotated, 1978. Our applicant  
21 this afternoon in Las Vegas, New Mexico, is the Luna  
22 Charter Academy. And in a few moments, we would  
23 like to hear from the Applicant. And, please, for  
24 the record, state the name of the school, the name  
25 or names of the founder or founders of the school,

1 the proposed grade levels to be served, and  
2 membership projection of the school. We ask that  
3 you state for the record a brief description of the  
4 school, the reasons you believe the school will  
5 benefit the children and citizens of this community,  
6 and any other information that you would like the  
7 Commission to know about your application.

8 You will have 15 minutes. So please be as  
9 precise as you can during this time. And are we  
10 ready with the timing? Thank you, Dr. C de Baca.  
11 I'm going to give you that doctorate again. You may  
12 now begin.

13 DR. MARTINEZ: Good afternoon, members of  
14 the Commission. My name is Vidal Martinez. I am  
15 one of the founders of the Luna Charter Academy. We  
16 actually have five founders; myself, Ms. Flora  
17 Gallegos, Mr. P.J. Wolff, Mr. Ron Gonzales, and  
18 Mr. Lawrence Quintana. The name of the proposed  
19 school is the Luna Charter Academy. We're looking  
20 at serving eleventh and twelve graders. Our target  
21 population are students that are not currently being  
22 served by traditional public schools or students  
23 that are considered dropouts, if you will, or  
24 students that need to obtain the high school  
25 diploma.

1           The benefits of the Luna Charter Academy  
2 exceeds -- I apologize. This is a little -- we are  
3 looking at serving a population that's not being  
4 served in our community, not just in Las Vegas, but  
5 within the north central New Mexico. I'm talking  
6 about Raton, Santa Rosa, Mora, Springer. We have a  
7 population in this community that is not being  
8 served. This charter academy will partner with Luna  
9 Community College.

10           And what makes this academy unique is the  
11 relationship that the academy will have with the  
12 college. We feel it's important that our students  
13 are provided the opportunity. We have a significant  
14 number of students that need remediation. We have a  
15 significant number of students that have other  
16 issues that affect their success in school.

17           Now, one of mission -- one of our goals is  
18 to provide, if you will, that bridge from high  
19 school to college. We are looking at tying in our  
20 dual credit program, tying in the dual credit  
21 program at Luna Community College, where students  
22 that enter the charter school not only will earn  
23 high school credits, but they will also earn college  
24 credit at Luna -- at Luna Community College. Our  
25 goal is to provide that service, encourage the



1 students to graduate from high school, to graduate  
2 students from my school and have them continue on to  
3 post-secondary education.

4 We are looking at providing a flexible  
5 schedule of courses to meet the needs of the  
6 community. We do have a significant number of  
7 students that -- for several reasons, cannot attend  
8 school because of economic issues. They have to  
9 work or family commitments. They have to take care  
10 of their children and so forth. So we're looking at  
11 a flexible schedule.

12 This proposal is all about opportunity.  
13 As I was going through the articles in the  
14 newspaper, "Graduation Rates Show Need For Real  
15 Reform," "Graduation Rate for State 54 Percent,"  
16 "We Can't Turn Back," "New Mexico graduation rates  
17 between 1996 and 2006 compiled by Education Week  
18 shows little improvement." It goes on and on and  
19 on. Governor Richardson said Wednesday, on  
20 August the 5th, he wants to see 10,000 dropouts back  
21 in high school for the end of his term.

22 Every issue that is being addressed in the  
23 paper, the Academy is addressing it. It's important  
24 as a community, it is important as a society that we  
25 continue to strive to improve the quality of life

1 for all our citizens, for all our citizens. So,  
2 again, the Luna Academy is all about opportunity.

3 At this time, I would like to yield the  
4 remainder of my time to Dr. Campos.

5 DR. CAMPOS: Thank you very much,  
6 Dr. Martinez. Madam Chair, members of the  
7 committee. First of all, thank you to each of you  
8 for not only the work that you're doing today, but  
9 as you've traveled around the state, as you listen  
10 to the many applications and the needs as you can  
11 see throughout New Mexico to diversify in the way  
12 that we present education.

13 To the individuals that are here also,  
14 both that will speak in favor and those that do have  
15 concerns, I wish to also thank you for this debate,  
16 for the communication and the dialogue that will  
17 take place today. This truly helps us to not only  
18 engage in some forward thinking when it comes to  
19 education, but to also continue to build the model  
20 that will bring about student success throughout our  
21 entire service area.

22 As you noticed, Dr. Martinez was somewhat  
23 emotional at the onset of his comments. I've had  
24 the opportunity this last year to listen to  
25 Dr. Martinez as a young educator, in fact, he is, I

1 understand, the youngest vice president for  
2 academics at any of our colleges across the state.  
3 So he brings to the table some thoughts, ideas, a  
4 lot when it comes to research. He validates that  
5 information. And he moves forward.

6 So what's happened under his leadership at  
7 Luna Community College? We've not only continued  
8 with the existing curriculum, but we've also tied in  
9 13 new programs within higher ed at Luna. Along  
10 with that, if this charter is to be granted, this  
11 will give us another leading edge when it comes to  
12 providing educational services to the people of our  
13 service areas.

14 The other issue is, of course, with  
15 certification. When we go out there and we're  
16 looking to find credentialed personnel, when we look  
17 to insure that the credentials that we can provide  
18 to our students are there so that they can transfer,  
19 they can transition into the world of work, we're  
20 doing everything possible to make that -- that  
21 happen in their lives.

22 In today's world, when you take a look at  
23 the uncertain economy, when you listen to our  
24 president and how he is reaching out to community  
25 colleges, there is forward thinking. But what we're

1 talking about here within this northeastern quadrant  
2 of the state is how can we combine all of our  
3 resources to be as effective as possible to insure  
4 student success.

5           You may say, "Well, you're a  
6 post-secondary institution. Why do you want to  
7 engage in and support the Luna Charter Academy?"  
8 For one very basic reason. Young people need  
9 opportunity. As I have gone throughout not only the  
10 community of Las Vegas, but this entire service  
11 area -- and Dr. Martinez has already alluded to  
12 that -- from Raton all the way to Pecos, cutting  
13 across from Mora, going into the Santa Rosa and  
14 Vaughn area, I've listened to young people, possibly  
15 19 years of age, who have dropped out of school for  
16 whatever reason, whether it be because of an issue  
17 at home or any other issues that they've had to  
18 encounter.

19           And what they've asked for is an  
20 opportunity, a place where they can go to continue  
21 with their education. And what they're looking for  
22 is that opportunity. These people have children.  
23 They're possibly not married, and they're trying to  
24 put the entire package together so that they, too,  
25 at some point in their lives, will be very

1 productive. But they're looking for the  
2 opportunity.

3 So they're trying to overcome so many  
4 hurdles in their lives. And our goal is to also  
5 assist in that. If you can envision for a moment  
6 Luna Community College, the courses that we offer,  
7 the vocational side, the academic side. A young  
8 person coming to school, not the regular 8:00 to  
9 3:00 hours, it could be in the evening, could be on  
10 weekends. But we work with them in their  
11 scheduling.

12 So what happens? They're working possibly  
13 at Taco Bell. And I, in no way, am trying to demean  
14 any business. But this is where I've encountered  
15 some of these young people. So whether it be Taco  
16 Bell, Wal-Mart, whether it be that they're  
17 undertaking a few hours of work because they need  
18 the other time to be a caregiver, either for a child  
19 or possibly even their parents. So they're working  
20 under these conditions.

21 But what we would do at Luna is we would  
22 provide them the housing. We would provide them the  
23 resources, the library, the technology, the  
24 vocational side that has already been mentioned. We  
25 talk about issues like concurring enrollment, dual

1 credit. So we would provide them with that spring  
2 board so that they could move forward.

3 And then, from there, we also provide them  
4 with counseling, with tutoring. And then we're also  
5 transitioning into the world of work. So from this,  
6 we're able to assist them so that they, too, at some  
7 point, will find a better than minimum wage job.

8 This is all about opportunity. In a  
9 service area where you see small communities, young  
10 people leaving education, the educational system as  
11 it is today, for whatever reason, it will be our  
12 thrust to insure that in this whole process, we do  
13 bring the significant components together so that  
14 they will be successful in their life.

15 A couple of other things in our part of  
16 the state. I've had the discussion with state  
17 leaders and others. But if you'll think for a  
18 moment and envision, along the I-25 corridor, the  
19 small communities that we have. Ranching and  
20 farming are a couple of the big industries in our  
21 area. We're losing young people to the larger  
22 areas. The Albuquerque and Rio Rancho area is an  
23 example. We want to keep them here. In doing that,  
24 in providing a place like the Luna Charter Academy,  
25 they can stay in their community of Springer,

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1 Watrous, Wagon Mound, Mora, Anton Chico, Delia,  
2 Dalia, Baca, Vaughn, these small communities,  
3 because they'll be able to learn there through the  
4 Academy, and also, if you will, through distance  
5 education.

6 Then, from there, we figure out, in this  
7 whole component with the economic engines that we're  
8 working on, how we're going to tie that together.  
9 So if it's going to be in the Raton area, we have  
10 the racetrack and casino that's going on. Here in  
11 Las Vegas, you know that we're known as a government  
12 community. Seventy-seven percent of the state of  
13 New Mexico is agriculturally driven. So as we build  
14 these programs, whether it be equine science,  
15 whether it be any of the other related fields that  
16 we're dealing with, the bottom line is, again, as  
17 Dr. Martinez has alluded to, it is about creating  
18 opportunity for those students that are going to be  
19 in need of a nontraditional way to be educated.

20 That's what we want to provide through  
21 this Academy, and, lastly, provide the opportunity  
22 so, truly, we do have student success. Thank you  
23 all very much for listening to us today.

24 THE CHAIR: Thank you. Does that conclude  
25 your presentation?

1 DR. MARTINEZ: Yes, ma'am.

2 THE CHAIR: All right. Thank you very  
3 much. We're now going to move to Section 7 of the  
4 agenda. And this is local school board and district  
5 representatives. At this time, we would like to  
6 hear from the local school board and/or district  
7 representatives. If you would come forward and  
8 state your name and title for the record.

9 And we would request that you state your  
10 reasons this charter school application should be  
11 approved by the Commission and/or reasons why this  
12 charter school application should be denied. You  
13 will have ten minutes, so please be as precise as  
14 you can during your time. Is there anyone from the  
15 school district? Yes, sir.

16 UNIDENTIFIED SPEAKER: Should I come --

17 THE CHAIR: If you would do that, we would  
18 appreciate it. We're probably having some hearing  
19 difficulties. And so if you can come forward, it  
20 certainly is appreciated.

21 DR. ABREU: Thank you, Madam Chair,  
22 members of the committee. My name is Dr. Jim Abreu.  
23 I'm the Superintendent of the West Las Vegas Public  
24 Schools, former Dean of Education at Highlands  
25 University. I speak for West Las Vegas Schools and



1 the School Board.

2 THE CHAIR: And what --

3 DR. ABREU: For the West Las Vegas Schools  
4 and the School Board. They have asked me to speak  
5 on their behalf. I speak in opposition of the Luna  
6 Charter Academy for various reasons. I have also  
7 been asked by several superintendents who are not  
8 here today to speak on their behalf. One is Jack  
9 Wiley from Clayton. One is Rick Hazen from Roy, and  
10 one is Dave Wilden from Raton. I'm not sure if Zeta  
11 Lopez made it here today. But she spoke to me and  
12 she's not in favor. She has concerns. Let me just  
13 put it that way, Madam Chair.

14 Those three superintendents, those three  
15 said no, they are not in favor of a charter school  
16 at Luna. I did speak with Albert Martinez also, and  
17 he was supposed to be here today. I don't know if  
18 he's here also. But he was -- had some concerns.  
19 So I'm not speaking on their behalf. But I'm just  
20 telling you what they shared with me, Madam Chair,  
21 and members of the committee.

22 THE CHAIR: Thank you. It's noted in the  
23 record, sir.

24 DR. ABREU: Thank you, ma'am. Speaking on  
25 behalf of West Las Vegas, the concerns that I

1 have -- before I continue, I want to thank you for  
2 the work you do and the time you spend. I know you  
3 travel the state. And I know this is a very, very  
4 challenging job you do. I have great respect for  
5 that.

6 I've spoken to your committee before on  
7 behalf of Highlands University and higher education.  
8 So I know what you do and I have great respect for  
9 that. I do know what you do and what you have to  
10 consider when you're doing this.

11 Speaking on behalf of West Las Vegas, we  
12 are serving this area. The Luna Charter Academy is  
13 in our school district. It's in the West Las Vegas  
14 district on the west side of Las Vegas. West  
15 Las Vegas is in that area. We think we're serving  
16 our students well. We have elementary schools. We  
17 have a couple of middle schools. We have the valley  
18 schools, elementary and middle schools. We have two  
19 high schools. We have our regular high school, West  
20 Las Vegas High School, and we have our alternative  
21 high school, our Family Partnership.

22 Our Family Partnership is a  
23 seven-through-twelve school that catches the  
24 dropouts from our regular high school. We have 20  
25 juniors there right now, and we have nine seniors.

1 Those there kids who would have dropped out of our  
2 high school and not gotten an education. We think  
3 we have something in place right now in West  
4 Las Vegas that takes care of that.

5 Now, we do have a charter school, Rio  
6 Gallinas. That only goes up to the eighth grade.  
7 But that does not play a role here. But our  
8 alternative school, our Family Partnership, does  
9 catch those dropouts. So we think we are serving  
10 it. We had very few dropouts at West Las Vegas. I  
11 think my high school principal told me we maybe had  
12 four last year. The year before, we maybe had  
13 three. So we don't have a big problem at West  
14 Las Vegas. And any that do drop out, if we can  
15 catch them, they're those at-risk students, they're  
16 very challenged, they don't work well with other  
17 kids, they don't work well in a structured  
18 environment, our alternative, our Family  
19 Partnership, picks those kids up and takes care of  
20 them.

21 So especially that eleventh and twelfth  
22 grade cohort that the Luna Charter Academy is  
23 speaking to, we have those covered in West  
24 Las Vegas. Twenty juniors and nine seniors speak to  
25 that very directly.

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1           As a post-secondary institution, I am  
2 concerned of Luna taking on the K-12 area that --  
3 the area that we deal with. I'm concerned about it.  
4 So community college, they're spilling over it, I  
5 think, into another area that maybe they should be  
6 careful of spilling into. That's just my concern  
7 there.

8           And my last concern that I will express is  
9 will this hurt the other public schools in our area.  
10 Your heard our esteemed gentlemen speaking about  
11 serving this northeast part of the state and the  
12 small communities. Well, I'm wondering in those  
13 schools -- and, certainly, their superintendents can  
14 speak better to it than I can -- would it have a  
15 negative impact on their juniors and seniors, you  
16 know, their graduation rates and those type of  
17 things to meet AYP, if some of them don't have the  
18 amount of students we have.

19           We have -- I think last year, we had  
20 144 graduates, seniors. Some of those schools may  
21 have ten, may have 20, may have 30 or 40. Will this  
22 charter academy affect their momentum in those  
23 schools in those small communities. That would be  
24 probably the last concern I would express to you,  
25 Madam Chair. If there are any questions from the

1 committee, I would stand for any questions.

2 THE CHAIR: Thank you very much. We  
3 appreciate your input.

4 DR. ABREU: Thank you, Madam Chair.

5 THE CHAIR: Thank you. Now, I think all  
6 of us know that Las Vegas is composed of two school  
7 districts. And I'm assuming that this school  
8 district, you've designated the West Las Vegas as  
9 the -- as the school district.

10 DR. DURAN: That is correct, because of  
11 the --

12 THE CHAIR: Because of the proposed  
13 location, the tentative location. So we have that  
14 clarified. We are to the place, No. 8, in our  
15 community input. Public comments and observations  
16 regarding the application will be heard at this  
17 time. There will be a four-minute time limit per  
18 presenter. Persons from the same group and having  
19 similar viewpoints are asked to select a  
20 spokesperson to speak on their behalf. Multiple and  
21 repetitious presentations of the same view will be  
22 discouraged.

23 At this time, is there anyone who would  
24 like to come forward under the -- item of community  
25 input and share with us your observations?

1 DR. DURAN: I think we have someone here.  
2 Go ahead.

3 UNIDENTIFIED SPEAKER: I didn't know we  
4 were done with the school presentations, Madam  
5 Chair. Are there -- can all of us speak as either  
6 district or board members, or was there just one  
7 district allowable?

8 THE CHAIR: Well, I think that it's just,  
9 as we have done it in the past, the school district  
10 that is proposed to be the location for the school.  
11 And then we have asked other people, other board  
12 members, other staff from other schools to come  
13 under this portion where we are now, sir.

14 UNIDENTIFIED SPEAKER: Thank you, ma'am.

15 THE CHAIR: So it basically covers the  
16 same -- the same idea.

17 DR. CORDOVA: May I step forward?

18 THE CHAIR: Dr. Ruben, I'm going to  
19 recognize you. I already had when you asked your  
20 question, sir. And then I'll get to you.

21 DR. CORDOVA: Good evening, members of the  
22 Commission, Madam Chair. Welcome to Las Vegas.  
23 It's a beautiful city. I know that in recent years,  
24 we've had some negative publicity, but don't believe  
25 all that.

1 THE CHAIR: Did you give your name to the  
2 recorder?

3 DR. CORDOVA: Ruben Cordova. And I'm a  
4 member of the community. I've had an opportunity to  
5 work with both the school district in this community  
6 as well as at the university level, and I am very  
7 much in favor of the Luna Academy Charter School.  
8 These are my reasons why.

9 In preparing for this, the 2007 Anna Casey  
10 Foundation published a report that used data from  
11 the 2000 census, which reported that about  
12 30 percent of the students -- the young people  
13 between ages 18 and 24 in this county, San Miguel  
14 County, when they were asked if they had a high  
15 school diploma or its equivalent, about 30 percent  
16 of them said they did not. So there is a huge  
17 population there of students that need an  
18 alternative, that need options.

19 We're living at a time when people want  
20 options, people need alternatives. And there's  
21 nothing wrong with that. We're here to prepare  
22 students, and that's what our mission should be.  
23 And we should never tire in finding ways to create  
24 opportunities for kids.

25 I also had the opportunity to be

1 associated with the charter school that existed here  
2 in this community. So I know firsthand that there  
3 are a bunch of students, a bunch of students, age  
4 level, if you will, in this community, that are  
5 begging for options. And it is our -- I think it's  
6 our responsibility as adults to provide those  
7 opportunities for kids.

8           The 19 -- 2008 State Farm Insurance  
9 Company published a report that called -- was titled  
10 "Learn More and Earn More." And it published the  
11 result -- or the, if you will, the income levels,  
12 average income levels of people based on the level  
13 of education. Based on that report, the average  
14 level of income per year for people who are dropouts  
15 was about \$26,000, average, across the country. For  
16 people who had at least an associate's degree, it  
17 was about \$41,000, per year. So you're talking a  
18 difference in salary of about \$15,000 annually.

19           You compound that over a period of a  
20 person's working life, which is now, because of the  
21 economy, it's probably 30 to 40 years, and you're  
22 probably looking at a difference in lifetime  
23 earnings of \$600,000. It has huge economic  
24 significance, if you will.

25           We need to do everything possible to get



1 more kids to achieve at least a high school diploma.  
2 And my wish would be that they would also achieve  
3 the equivalent of an associate's degree. And my  
4 understanding is that one of the purposes of this  
5 academy would be to get those students to complete a  
6 high school diploma, while at the same time  
7 completing the equivalent of an associate's degree  
8 or perhaps the core courses for a four-year degree.

9 So I endorse it wholeheartedly. And I  
10 don't think that there's any -- there's no need to  
11 be suspicious that there's going to be competition  
12 here, because we are at an age when we have to  
13 provide opportunities for people. And to do  
14 anything less, I don't think would be responsible.

15 Thank you very much for your time, and I  
16 know that you will grant this application the  
17 highest consideration. And I thank you for your  
18 efforts.

19 THE CHAIR: Thank you, Dr. Cordova. Will  
20 the gentleman in the yellow shirt now come forward,  
21 please, sir.

22 MR. ROMERO: Madam Chair, members of the  
23 Commission, Dr. Duran and your staff, my name is  
24 Rick Romero. I'm the superintendent of schools with  
25 the Las Vegas City Schools. I've been the

1 superintendent with the Las Vegas City Schools now  
2 for a year. I walked into a situation where we  
3 basically had concluded and absorbed the previous  
4 charter school that was in the community. When I  
5 arrived in the district, we were two years behind on  
6 our audits largely due to that charter school.

7 Okay?

8           These are concerns that -- that I want  
9 this Commission to understand is that, you know, the  
10 districts generally absorb that responsibility. And  
11 I understand that Luna is accepting that  
12 responsibility. I'm concerned that we're creating  
13 feeder schools for our post-secondary institutions  
14 and the precedent that this would set for other  
15 institutions of higher ed around the state.

16           You have several superintendents that are  
17 in this building today. We are passionate about  
18 what we're doing with our children. And we are  
19 working as hard as we conceivably can to educate  
20 every single child. And we understand what those --  
21 those obstacles are that we deal with every day.

22           We have worked very cooperatively with our  
23 institutions of higher ed when it comes to dual and  
24 concurrent enrollment. And, you know, right now, we  
25 have approximately 34 or -- I believe 34 students

1 that are presently enrolled at Luna Community via  
2 the dual or concurrent enrollment program. What's  
3 going to happen when these students decide that they  
4 would just rather -- not remedial, as Dr. Vidal  
5 Martinez and Dr. Campos alluded to, not as a  
6 remedial program, but as, "Hey, this isn't a bad  
7 deal. So now I'm going to drop out of Robertson  
8 High School, enroll in this charter school."

9 And that is going to have a significant  
10 impact on our schools. And every child that we lose  
11 is going to continue to affect what we can do with  
12 the budgets that we have in this day and age. This  
13 does concern me. We are a fairly small community.  
14 We have two school districts. We have two higher ed  
15 institutions. It does concern me. And -- and what  
16 concerns me is not the fact that this is a remedial  
17 program. For those kids that they're picking up  
18 that are dropouts, I say, absolutely. We need to do  
19 whatever we can to get these kids back in school.

20 What concerns me are the kids that are  
21 happily enrolled right now that are going to drop  
22 out of our schools to enroll in this school, and  
23 it's going to change its -- its nature at some  
24 point. It's not going to solely be based on  
25 remedial programs. It's going to change in its

1 nature. That's what concerns me.

2 And I think the two schools that are going  
3 to hurt the worst out of this are the West Las Vegas  
4 Schools and the East Las Vegas Schools. I would ask  
5 you to please, please take into consideration the  
6 precedent that this would set in having an  
7 institution of higher education having a charter  
8 school which is now in direct competition with K-12  
9 public schools. That does concern me considerably.  
10 Madam Chair, members of the committee --  
11 Commission -- thank you very much.

12 THE CHAIR: Thank you, sir. Yes, ma'am.  
13 Young lady right here.

14 MS. WARD: Step forward?

15 THE CHAIR: If you would, please. It  
16 helps us.

17 MS. WARD: Madam Chair, members of the  
18 Commission, welcome. Thank you for providing us  
19 this opportunity to provide our input in reference  
20 to the Luna Academy Charter School. My name is Mary  
21 Ward. And I am the vice president for student  
22 services at Luna Community College. My departments  
23 directly work with department -- with issues  
24 pertaining to student services.

25 Las Vegas is viewed by many as an

1 educational community. And as a community, we do  
2 provide opportunities for students to obtain their  
3 educational goals. However, I don't believe that we  
4 are reaching all of our youth. And they're not  
5 being provided with the opportunity to reach their  
6 educational endeavors. We have youth who are forced  
7 to work in order to support their young families.  
8 We have youth who, for some reason or other, do not  
9 wish to continue on with the public school setting.

10 We also have youth who are experiencing  
11 lots of barriers, whatever they may be, from  
12 personal to whatever, personal barriers they are  
13 encountering. These barriers are keeping them from  
14 reaching their goals. If we, as a community, are  
15 serious about educating our youth, we must provide  
16 access to all students.

17 The proposed charter school will operate  
18 as a nontraditional school, which will provide  
19 opportunities for its students to participate in a  
20 nontraditional model and schedule. This type of  
21 model will reach out to meet the needs of our youth.  
22 It is the ultimate intent of the proposed charter  
23 school to render educational services so that all  
24 our youth in our communities are provided with the  
25 access they otherwise are not privy to in our

1 traditional settings.

2 At this time, I stand for questions. I  
3 thank you for your time, and I trust that you will  
4 give the Luna Charter Academy the consideration it  
5 deserves. Thank you.

6 THE CHAIR: Thank you very much.  
7 Gentleman in the plaid shirt? Yes, sir. I have a  
8 couple of three more here that I see. Thank you.

9 MR. GALLEGOS: Madam Chair, Commissioners.  
10 My name is James Gallegos. I'm Superintendent of  
11 Schools of Cimarron. Cimarron wasn't mentioned in  
12 the coverage area. But I do have some concerns. As  
13 a superintendent of a school with a charter -- and I  
14 think Dr. Duran can attest to this -- we have  
15 probably one of the best relationships, if not the  
16 best relationship in the state with a charter  
17 school. We work very hard. It wasn't easy to get  
18 that. It's a charter school in a small school  
19 district of less than 500 students.

20 I have some concerns over the greater  
21 issue of charter school law in terms of the way this  
22 affects. Yes, the charter school will be setting up  
23 in one community, but impacting several school  
24 districts. Will there be a public hearing in each  
25 of those school districts to discuss the impact of

1 the -- of the charter school? It's my knowledge  
2 that cyber -- the cyber school academy law has  
3 certain restrictions on MOUs between school  
4 districts and other school districts who are  
5 offering online courses that have to be done.  
6 There's a lot of devils in the details that I see  
7 coming out here.

8 One of the big ones, too, that would  
9 impact a district like mine would be the 10 percent  
10 enrollment that a charter school can have of the  
11 district's total enrollment. Ours has already been  
12 exceeded and grandfathered in for our charter  
13 school. So how will this impact this? Will it be  
14 10 percent of the enrollment of Raton, of Springer,  
15 of all of these districts that we said, or  
16 10 percent of the home district?

17 I see a lot of things there. I do see a  
18 need to serve an underserved population of students  
19 between the ages of probably about 19 and 25 who  
20 have dropped out of school. If that be the case,  
21 then I would say that this charter school would well  
22 serve some of the communities like the Eagle Nest  
23 Reintegration Center, students who are incarcerated  
24 or in a situation to where they need to be  
25 rehabilitated that a traditional school district

1 such as Cimarron cannot handle. That is very  
2 difficult for us to do.

3 There is also questions, too. And again,  
4 the devil is in the details. The New Mexico  
5 Activities Association. When charter schools come  
6 into play, there's really a lot of gray area on how  
7 this works with how kids are eligible and not  
8 eligible. And there are issues that we've had to  
9 work through with our charter school.

10 These are things that I would like this  
11 Commission -- and I would ask this Commission -- to  
12 really consider before granting such a broad scope  
13 to a charter school and allowing them to do. Some  
14 of these issues need to be taken up by our  
15 legislature. They need to address these. They need  
16 to work on them and give us a viable law for charter  
17 schools.

18 Madam Commissioner, thank you very much  
19 for this opportunity. If there is any questions, I  
20 will stand for those.

21 THE CHAIR: Thank you very much.  
22 Appreciate that. The lady in the -- I guess the tan  
23 sweater? Is that a tan sweater you have on?  
24 Something?

25 MS. McLEOD: I think so. Thank you.



1 THE CHAIR: And I'll get somebody from  
2 over here in a minute.

3 MS. McLEOD: Hello.

4 THE CHAIR: Hello.

5 MS. McLEOD: Madam Chair, members of the  
6 committee and Commission. I am Cindy McLeod,  
7 director of Rio Gallinas Charter School. At this  
8 time, I am very dedicated to children in this  
9 community. I have worked in West Las Vegas Schools  
10 for 20 years, and so I have met many of these  
11 dropouts and know that there's a lot of reasons why  
12 they drop out. And I am really disappointed in the  
13 process so far because of the lack of dialogue. I  
14 was not invited to any meetings to discuss what do  
15 our eighth-graders need, what do you think these  
16 children in this community need. And I think  
17 without that dialogue, where we have all the  
18 stakeholders, the superintendents of both districts,  
19 outlying districts, principals, parents, students,  
20 we're not going to create a school that is  
21 different.

22 And schedules is one thing. But most of  
23 the students that I know that are dropouts, it's not  
24 because of the schedules. It is because they have a  
25 different way of learning, and they need education

1 to be different for them. And I haven't heard how  
2 this charter school is going to teach these students  
3 differently. And I want to be a part of that  
4 process. And I want the other members of our  
5 community to have that opportunity.

6 So I'm not really -- I'm completely for  
7 charters and alternative education and  
8 nontraditional ways of teaching. But I'm not for  
9 starting another school that teaches in a way that  
10 is not going to meet these kids' needs. So I ask  
11 that we take a step backwards, have these meetings  
12 with our community and then see if we can really  
13 create the school that they need.

14 And I want to hear the students as a part  
15 of that, because I haven't been invited to any of  
16 those. Those meetings might have taken place, but I  
17 haven't heard about this. Let's ask the students  
18 and ask the parents and wait. And if it's -- if we  
19 can create it, let's go for it. But let's do it in  
20 the right way. Thank you. Do you have any  
21 questions?

22 THE CHAIR: Thank you very much. I'll  
23 take the gentleman in the dark blue plaid shirt and  
24 the gray jacket, it looks like.

25 MR. PETERSON: Madam Chair, Commission

1 members, my name is Chuck Peterson, Charles  
2 Peterson. I am in an unusual situation here because  
3 Dr. Campos and Dr. Abreu are both my employers. I  
4 work at Luna Community College. I teach one of the  
5 distance learning classes, a class in American  
6 literature. I have students from Mora, from  
7 Clayton, from Santa Maria, from Albuquerque. Those  
8 are the names that come to mind just at the moment.  
9 And I teach those folks between 6:00 and 8:50 every  
10 Monday night.

11 I work Monday through Thursday for  
12 Dr. Abreu at the Family Partnership School, where I  
13 teach Algebra II, two sections. And I teach a  
14 section in geometry. I previously worked at Rancho  
15 Valmora, where we worked with specifically  
16 behaviorally disturbed children. These were  
17 children that were victims of some fairly  
18 extraordinary abuse, including self-abuse that, in  
19 many cases, resulted from their -- the previous  
20 abuse that they experienced at the hands of their  
21 siblings, their parents, other relatives. And they  
22 found themselves, in many cases, able to support  
23 themselves by no other choice than working the  
24 streets. As soliciting sex, or providing sex for  
25 solicitors, if you will.

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1           That school no longer exists. And its  
2 clientele, frankly, overlaps in no way with the  
3 clientele that I work with at Luna, nor at West.  
4 But many of the same issues that resulted from that  
5 abuse and that we attempted to address at Valmora  
6 were, in fact, some of the self-abusive behavior  
7 that our current students are dealing with.  
8 Drugs -- well, just let me say, behavior that was  
9 dangerous to them.

10           And our purpose at Valmora and, of course,  
11 our purpose at Family Partnership specifically, as a  
12 charter school, is to provide a safe environment  
13 where children are safe from others and from  
14 themselves.

15           I envision a school as a three-legged  
16 stool. The stool itself is the customers. And I  
17 speak from a business background, having worked for  
18 14 years for Kodak and a number of other companies.  
19 The three stakeholders are the faculty, the  
20 management/administrative staff, and the community,  
21 and, in many cases, the parents. The stool cannot  
22 hold up if any of the stakeholders are not taken  
23 care of.

24           The students cannot be nurtured, cannot be  
25 taken care of if any -- if the stool falls over,

1 frankly. Let me assure you that the students who  
2 need a place like Luna Academy are numerous and many  
3 in this community. I've seen them. You've seen  
4 them. I certainly have met them at West, and at  
5 Luna, where I've been a teacher. I think it is  
6 dangerous, and one of the previous speakers spoke to  
7 the concern about what effect does this have on  
8 other communities. I would say there's a danger if  
9 we take away the best faculty, the best students. I  
10 think there are quality faculty and students out  
11 there who would benefit. Thank you. Any questions?

12 THE CHAIR: Thank you, sir. Is there  
13 anybody in the center of the room who wants to  
14 speak? Yes, sir, in the white shirt there.

15 MR. ADAMS: Good afternoon, Madam Chair.

16 THE CHAIR: Good afternoon.

17 MR. ADAMS: My name is Michael Adams. I  
18 am raised and born in Las Vegas, a graduate of West  
19 Las Vegas. I am currently the IT director at Luna  
20 Community College, previously the science, math, and  
21 engineering technology director at Luna Community  
22 College. There's not a school behind me that I see  
23 a superintendent I haven't written a grant for that  
24 I don't believe so wholeheartedly in these schools,  
25 these high schools, writing Carl Perkins and writing

1 these grants to bring the engineering levels up,  
2 bring it to where I didn't have the standard when I  
3 grew up here.

4 I believe the high schools are doing it.  
5 I believe that they're doing a great job. But I  
6 believe there's still a hole, and I believe we're  
7 still lacking. I believe, like Dr. Martinez was  
8 saying, there are a lot of them that are out there  
9 that won't come back. If I'm 21 without a high  
10 school diploma, I'm not going back to high school  
11 and I'm not going to come back and ask, "Would you  
12 help me out at the high school so I can get my  
13 diploma?"

14 I'll go try to work towards my GED or I'll  
15 go get a job or I'm going to sit at home. And  
16 that's what I believe. I believe there's a place  
17 that we have a hole. There's a hole where we can go  
18 fix them. And let me tell you, Luna Community  
19 College is a great college. I believe, since I've  
20 been there going on four years -- I started Luna  
21 Community College with an engineering department  
22 that had five students. I went from 5 to 350 in two  
23 years, because I was passionate about it. I went to  
24 my community where I grew up and I said, "Come here.  
25 Come to Luna. Try it. See if you like it. Take a

1 taste of college. Let's let you get through either  
2 the GED program, get your diploma, or do what it  
3 takes to do."

4 I'm very passionate about what I believe  
5 in, because I still see the lack of what I saw back  
6 in 1977 when I graduated. I left Las Vegas in a  
7 month only because there were no jobs, no  
8 opportunity. I joined the United States Air Force.  
9 I did that for 14 years, got a great education.  
10 Aeronautical engineering; no degree, but a lot of  
11 education. Now, let me tell you, from there, I got  
12 fired by Boeing Aerospace, did well there. Decided  
13 to come home and retire, was blessed enough to get a  
14 job at Luna Community College as an engineering  
15 director, or chair. I love the position I did  
16 because I could do what I do best. I sell. And I  
17 go to these young kids and I sell the high schools,  
18 which are doing a fantastic job.

19 Like I said, every high school here, I've  
20 done a lot of work with. Every charter school, I've  
21 done a lot of work with, bringing math, science, and  
22 engineering to the high school. I think we need to  
23 do something a little bit different. We know that  
24 it changes. We know that Albuquerque opens a  
25 charter school almost every year.

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1           Santa Fe. I taught, at Santa Fe Community  
2 College this summer, an engineering class to middle  
3 school kids. There's two charter schools or  
4 technology schools opening in Santa Fe. So is there  
5 a need? I think there's a need. Do I want to take  
6 away from my West Las Vegas or from anybody,  
7 Mr. Romero, or from Dora, who I grew up with? No.  
8 I don't want to take their students. Do I want to  
9 help them? Most definitely. Do I want to get the  
10 lost? Most definitely. And that's what I think we  
11 could do at Luna Community College.

12           I run the IT department. Dr. Campos asked  
13 me a couple of weeks ago, "Mike, can we teach a  
14 class in China?" I said, "Sure. We have the  
15 bandwidth. They have the bandwidth. We can make  
16 that happen."

17           So we believe. We have strong goals, and  
18 we believe that everyone in New Mexico should be  
19 educated. I've looked at the stats. Again, I can't  
20 tell you exact percentage. But there's 60 percent  
21 out there without a high school diploma. If I'm 34  
22 years old, I'm not going back to high school. Maybe  
23 we could bring you a trade. Maybe we could get you  
24 a high school diploma to take you to a trade, take  
25 you into engineering. It's never too late.



1 I believe it can never end, and the only  
2 ones that are going to stop it is ourselves. I  
3 think that's what we've done for a long time in our  
4 community. We've stopped it ourselves. I want to  
5 bring it all back, bring it back so we have the best  
6 of the best. We have the best high schools in the  
7 area, and we also have the best college in the area.

8 As a community college, I did not steal  
9 from Highlands University. But I'll sure come  
10 recruit for physics and different things I taught at  
11 Luna, engineering and so on. It didn't seem to  
12 bother Highlands. So, again, we're not trying to  
13 crush the high schools. All we're doing is just  
14 trying to give everybody the same opportunity to  
15 have the greatest education you can have in this  
16 country. Again, we're rural. This is what we have  
17 to do. Thank you.

18 THE CHAIR: Thank you very much. I take  
19 the young lady -- I think it's the maroon colored  
20 blouse or dress you have on there? Jacket?  
21 Something.

22 MS. ROMERO: Good afternoon, Madam Chair,  
23 members of the committee.

24 THE CHAIR: Good afternoon.

25 MS. ROMERO: My name is Dora Romero. I'm

1 the Superintendent of Schools in Mora. And thank  
2 you for taking the time to be here this afternoon.

3 I don't want to sound redundant. I just  
4 want to express that I, too, have concerns as the  
5 other area superintendents who are opposed to the  
6 Luna Academy have already voiced. I believe it is a  
7 noble effort to try to help those students that have  
8 dropped out of school that we definitely need to  
9 provide education to. They are part of our  
10 community. But my question is are we going about it  
11 the right way.

12 I believe that by establishing this  
13 academy, it eventually will impact our enrollment.  
14 Those of us that are very rural, as all of you are  
15 probably aware, have limited financial resources as  
16 it is. If our enrollments start declining, what'll  
17 end up happening is that we will be forced to limit  
18 what we offer our students in our high schools.  
19 Therefore, we'll be impacting the students that are  
20 left there. And they also need the best education  
21 that we can provide to them. I thank you for taking  
22 the time to listen to my concerns, and I stand for  
23 questions.

24 THE CHAIR: Thank you very much.  
25 Somebody -- yes, the young lady in the black with

1 the white blouse.

2 MS. MARTINEZ: Madam Chair, Commission  
3 members. My name is Alexandra Martinez. And I'm a  
4 student, and I would like to speak upon a student.  
5 It's all about opportunities for students. And I  
6 believe students and parents should be able to have  
7 the opportunities to attend a public or a charter  
8 school.

9 In a small community, I think a charter  
10 school will benefit all students. As a student  
11 myself, I am aware of struggling times and  
12 understand -- and I understand how difficult high  
13 school can be. Let's face it. High school isn't  
14 for everyone. And we need to do something about  
15 that.

16 Since Luna Community College is housing --  
17 housing the charter school, they will be offering  
18 dual credit. And other high schools have dual  
19 credit. But my understanding, when I was in high  
20 school, we only had -- were able to take so many  
21 classes. The rest, we had to pay for.

22 The opportunity for a student to go to  
23 college and not have to pay for it is amazing. I  
24 wish I had that opportunity. And I wish other  
25 students that I saw struggle in high school would be

1 able to have this opportunity, and our community.  
2 Instead of letting students fall through the cracks,  
3 let's give them hope, opportunities and choices to  
4 exceed in life. Within -- whether they would like  
5 to go to a public school or a charter school, it  
6 should be their choice. It's all about the  
7 students. Thank you.

8 THE CHAIR: Thank you. Is there someone  
9 in the center of the room? Anybody in the center of  
10 the room? Okay. I'll move over here. Yes, sir, in  
11 the red shirt.

12 MR. HERRERA: Thank you, Ms. Smith,  
13 commission members. My name is Roy Herrera. And  
14 I'm the Superintendent from the Pecos Schools.  
15 First of all, I want to compliment Luna Community  
16 College on extending opportunities to the school  
17 districts. I think it's been wonderful. Currently,  
18 we send 87 of our eleventh and twelfth graders to  
19 Luna on Tuesdays and Thursdays, by bus. They get to  
20 the school at about 7:30. They depart at 8:00.  
21 They're at Luna, classes start at 9:00. They are  
22 done by 2:00, and they're back home and ready to go  
23 at 3:00.

24 Over the past five years, we have sent  
25 over 300 students to Luna, eleventh and twelfth

1 graders. But yet I am opposed to the Luna Community  
2 College Charter School. First of all, I am very  
3 upset that we were not communicated with. Our  
4 northeastern regional ed center had invited Luna  
5 Community College representatives six months running  
6 to come and attend, communicate with us regarding  
7 what they were planning to do so we would have a  
8 better idea, voice our concerns, share ideas with  
9 them. We did have them attend one meeting, which  
10 basically, Dr. Martinez says, "We'll get back to  
11 you," and since had not returned.

12 We continue to ask for meetings to get  
13 input, which I think would have been really nice for  
14 the school districts. That would have eased a lot  
15 of the concerns that they have. I think that  
16 communication lack needs to be looked at and  
17 addressed when looking at the application and the  
18 processes that they're doing.

19 I know that our students have benefited.  
20 A concern that I have that you've heard from other  
21 superintendents is the competition piece. Well, let  
22 me tell you. Right now, on Mondays and Wednesdays  
23 and Fridays, our students are taking a lot of our  
24 core classes there at the school. The potential of  
25 being full-time students at Luna Community College

1 taking dual credit courses and establishing  
2 themselves a little differently -- because I have  
3 not been explained their processes -- it's a concern  
4 to me. What would that do to a small community like  
5 Pecos and devastating the program?

6 We have 700 total students, K-12. So to  
7 potentially lose all of our juniors and seniors that  
8 are attending Luna Community College, if they choose  
9 to do that, what would that do for the rest of our  
10 program?

11 Yes, I've heard the efforts that they're  
12 talking about, reaching out to the dropouts and  
13 really establishing that. But in quoting  
14 Dr. Martinez in his final sentence of the  
15 description of the thing, he said, "and general  
16 diploma." And so what that means, it's not just  
17 open for the dropouts. It's open for the rest that  
18 want to work on that general diploma.

19 So that's a concern that we have. I  
20 really would like to have more conversations with  
21 Luna Community College regarding this charter  
22 school. Once again, Commission, thank you for  
23 coming. I know you do a tremendous job. Thank you.

24 THE CHAIR: Thank you, Mr. Herrera. Okay.  
25 I think -- yes, ma'am.

1 MS. SANCHEZ: Madam Chairman, members of  
2 the Commission. I hadn't planned to speak, so I  
3 don't have anything prepared. But my name is  
4 Faviola Sanchez, and I run the Zoe Pregnancy Center  
5 here in Las Vegas. And I hadn't really heard a lot  
6 about the charter school. But what I do want to  
7 present is that for you that are considering this  
8 charter school, that you would consider that we have  
9 many, many girls now in high school.

10 I have clients not only here in Las Vegas,  
11 but from Pecos, Anton Chico, Roy, Cimarron, Mora.  
12 They come, and they're pregnant, and they're having  
13 to drop out of school. And many of these schools  
14 don't have programs for girls that are pregnant.  
15 They end up having to drop school because they can't  
16 attend classes.

17 I applaud Robertson High School because  
18 they still have a program for the pregnant girls.  
19 But for many of us, the present programs at the high  
20 schools don't. So I would both encourage the  
21 superintendents from the schools that are here to  
22 consider that, because this is something that the  
23 girls need. And if they can't provide it, then  
24 maybe Luna should provide it.

25 But I do encourage you to consider the

1 girls that are pregnant that quit school because  
2 they feel they would have no other choice, and what  
3 can they offer their children if they don't have a  
4 high school education? We want to -- we encourage  
5 them to stay in school. We work with them to try  
6 and stay in school. And we would like the schools  
7 also to work with these pregnant girls and try and  
8 keep them in school as well. So we thank you for  
9 your consideration and your time. Stand for  
10 questions.

11 THE CHAIR: Thank you. Thank you very  
12 much. Yes, sir.

13 MR. GONZALES: Good afternoon, Madam  
14 Chair, and members of the Commission. Welcome to  
15 Las Vegas. My name is Roger Gonzales. I'm the  
16 director of Institutional Support and Advancement  
17 for the Mora Independent Schools. I come today in  
18 opposition to this charter school not because of the  
19 principle that it's being founded on, but many of us  
20 rural schools recognize that we're cited numerous  
21 times in this document, four or five to be exact,  
22 and our concern is in ten years that I've come back  
23 to Mora, enrollment has dropped nearly 400 kids.

24 And to hear that they're going to offer  
25 our students opportunity to relocate and migrate



1 from our community just adds and compounds to the  
2 problem that we have in rural communities; the  
3 migration of our young families outside of the area.  
4 So when we talk about discovery learning, enrichment  
5 learning, it's not to relocate our kids to learn  
6 somewhere else. It's how to create opportunities  
7 within our communities for the kids.

8 This afternoon, we've heard a lot of  
9 statements about opportunity. And I don't think we  
10 celebrate as rural schools how much opportunity we  
11 provide to our kids. We have examples of kids from  
12 our schools that have graduated with not only their  
13 diploma, but an associate's of general education  
14 starting as juniors in school. So there's a lot of  
15 good things going on in the schools. And I think  
16 what many of the superintendents that are here this  
17 afternoon is that the partnership between public ed  
18 and higher ed needs to continue, and the avenue of  
19 that charter school is not the way to proceed.  
20 Thank you. Stand for questions.

21 THE CHAIR: Thank you very much. The  
22 gentleman in the blue T-shirt, I believe, back  
23 there.

24 MR. BACA: Hello, Madam Chair and  
25 Commission members. I'm Jesse Baca. I'm a college

1 student at Luna Community College and also at  
2 New Mexico Highlands University. I support the  
3 founding of a charter school, because many people in  
4 Northern New Mexico do not have high school diploma  
5 or GED. And being that in Northern New Mexico is  
6 mostly comprised of state and government jobs, most  
7 state and government jobs require that, at least as  
8 a minimum, to get employment.

9 So it'll help Northern New Mexico in  
10 that -- I mean, you have their employment, higher  
11 employment rates at state and government jobs. And  
12 in order to sustain these jobs, we need to get these  
13 people educated, at least a basic high school  
14 education, GED program, something for them.

15 Then also as mentioned earlier about  
16 people with different learning styles, many students  
17 do not learn in traditional high school settings  
18 such as lectures and books and stuff. Many students  
19 learn in a laboratory setting or a shop setting.  
20 People are more hands-on. And this will help them  
21 approach it better, because many high schools do not  
22 have welding programs or laboratory science programs  
23 as good as Luna Community College.

24 Luna Community College has better trade  
25 programs and science programs, one of the best

1 nursing programs in the state. This will also help  
2 those students who are in those areas. Some  
3 students just aren't interested. And sure, they  
4 need the basic education, because they're not  
5 interested in receiving the extra stuff that they  
6 don't need to learn. They want to get their career  
7 started right away. And this will help with the  
8 dual credit, getting both high school and college  
9 credit.

10 And also, I think it's -- should be --  
11 it's a community college. I mean, they're serving  
12 the community with this school. It shouldn't be an  
13 issue of who's taking students from whose districts  
14 or whatever. As long as the whole community is  
15 educated in the end, that's all that matters is --  
16 it shouldn't be competition who has higher  
17 enrollment and who doesn't. And that's all. Thank  
18 you.

19 THE CHAIR: Thank you. Thank you. Way  
20 back there at the back.

21 MR. QUINTANA: Good afternoon. My name is  
22 Lawrence Quintana. I'm the Human Resource Director  
23 for Luna, and one of the founders of the Luna  
24 Academy. One of the things that I think everyone is  
25 missing is that decisions to attend academy or

1 traditional schools are usually made by the family  
2 core. I have five kids that I've raised from two  
3 different sets of families. And some of my kids  
4 have attended West Las Vegas alternative school and  
5 traditional school at West Las Vegas. That decision  
6 was made based on the child's needs, not on whether  
7 they were going to benefit the school or the charter  
8 school.

9 I look at benefiting the student  
10 themselves. And that was the decision made by our  
11 family to benefit that child. That was an  
12 opportunity that they had. And I think that we have  
13 to allow families that have those needs to make  
14 those decisions. We're trying to say how it's going  
15 to impact those schools. If we provide good  
16 products to our students, we're going to keep the  
17 students if we're providing the needs of those  
18 students.

19 I attended West Las Vegas, went to school,  
20 and I was very satisfied with the school system.  
21 But I like the traditional school setting. I  
22 thrived in that. I played sports, and I did those  
23 things. But some of my kids didn't thrive in that.  
24 They wanted the alternative schools. They wanted  
25 the opportunity. They wanted to have more expanded

1 opportunity.

2           And I think that we are missing the boat.  
3 The families are going to make those decisions. And  
4 they need the opportunities. In the urban setting,  
5 they're getting those opportunities. In the rural  
6 setting, we're saying "No, we don't have enough  
7 resources, but we don't want to give you that  
8 setting."

9           I think that this charter school gives  
10 that opportunity in a rural setting for the families  
11 to make the decisions which is in the best interest  
12 of their children. And I think -- I thank you for  
13 coming this afternoon, and hope that you would  
14 consider the charter school.

15           THE CHAIR: Thank you. Is there anybody  
16 on this side? Yes. Hello.

17           MS. GALLEGOS: Hello. My name is Flora  
18 Gallegos, community member, also a parent. But I'm  
19 in support of the charter school. I believe there  
20 were quite a few students whose needs are not being  
21 met here in the community. And even though there  
22 are some alternatives that are available here. As  
23 many other members of the audience have stated,  
24 there are not only pregnant girls, but expecting  
25 fathers and other students who are just not able to

1 attend a regular school during those regular school  
2 hours who need to be served as well.

3 And the fact that those students would be  
4 served very well if they were in urban setting and  
5 are not being served here in this rural setting  
6 makes a big difference to a lot of people here.  
7 Thank you.

8 THE CHAIR: Thank you. There's a lady  
9 here in front.

10 MS. ARAGON: I'm Dorothy Aragon. Thank  
11 you for letting me speak. I'm a parent. And I'm  
12 just -- I'm for this charter school because I have a  
13 child. And he had bad experiences in the public  
14 schools. And -- and the school that he was  
15 attending now had to close down because of money  
16 problems. So I was looking for a school. So I  
17 looked for Partnership. They didn't have enough  
18 room.

19 He's in the seventh grade. And so I -- I  
20 enrolled him in another -- another Christian school,  
21 which he's -- he loves, and I love it, too. But I  
22 was -- but I called the charter school in Luna to  
23 see what was what. And they told me it was just for  
24 eleventh and twelfth grade. But that's it. But I'm  
25 for it, because the future, I'm sure that my son --

1 I'm for school choice. And I'm sure my son, as --  
2 he loves where he's at right now, but I'm sure that  
3 he would like to -- I want him -- to give him the  
4 opportunity to see if he can better himself.

5 And I love this thing -- the charter  
6 school in Luna that they're offering them, like,  
7 vocational, and even their associate's. And because  
8 I want him to finish his school, even if it's -- if  
9 I home school him, I'm willing to do it.

10 But I'm for the charter school. I'm a  
11 concerned parent. And, like I said, my child had a  
12 bad, bad experience in the public schools. And he  
13 will not go to a public school. He tells me he will  
14 not go. So I know he's going to be a dropout if I  
15 would send him. So, that's me, Dorothy Aragon.  
16 Thank you.

17 THE CHAIR: Thank you. I think I had  
18 somebody -- yes, ma'am.

19 MS. LOPEZ: Good afternoon.

20 THE CHAIR: Hello.

21 MS. LOPEZ: Madam Chairman and members of  
22 the Commission, my name is Vita Lopez, and I am the  
23 Superintendent from the Springer Schools. And I'm  
24 very fortunate. I want to say, first off, that we  
25 have a Luna satellite line school at our community.

1 And we work hand in hand. We have a very good  
2 working relationship. My students are able to  
3 attend Luna during the course of the schoolday. I  
4 bus them to Luna and back. And they even have the  
5 opportunity to take night classes.

6 So we have -- they do get the dual credit  
7 and concurrent enrollment. However, I'm opposed at  
8 this point, just because I agree with some of my  
9 fellow superintendents that we weren't invited to  
10 discuss a little bit about these options or what  
11 this academy school or charter school was going to  
12 entail or how it was going to affect the small  
13 districts, especially, for example, Springer.

14 We have 200 students, K through 12. I  
15 lose two or three students, that hurts the resources  
16 that -- the money resources that I have and affects  
17 the education throughout the -- it impacts my school  
18 entirely. And so I think since we have had a good  
19 working relationship, I think if we at least were  
20 involved and be able to come to the table and  
21 discuss some of how it was going to impact the  
22 school and how we can work together, I think, in the  
23 long run, I think it would be a positive thing, for  
24 the students that are dropouts that we need to  
25 address, because we definitely do.



1           But I'm proud to say, in Springer, we've  
2 done a good job. We have -- we are small. And I  
3 think that's our advantage, that we're able to work  
4 with students, even if -- for example, it was  
5 mentioned young ladies that are pregnant. We work  
6 with those students. We still keep them within the  
7 school and graduate them. So we're fortunate.

8           Again, we're lucky. But if I lose two or  
9 three students, then I'm starting to worry. It's  
10 impacting my money and the resources to provide any  
11 education to the rest of the students. So if we  
12 could just come to the table and talk and discuss  
13 some of these issues so we could better  
14 understand -- I haven't seen the application. But I  
15 would really like to know how is it going to impact  
16 our districts. And so just being able to discuss  
17 some of those issues, I would really love to discuss  
18 those issues. Thank you very much for listening,  
19 and I appreciate it.

20           THE CHAIR: I have a lady over here.  
21 Thank you very much.

22           MS. ROMERO: Hello, Madam Chair and  
23 members. Hello. My name is Patricia Romero, and I  
24 am the dual credit director at Luna Community  
25 College. And I'm here today in regards -- to my

1 statement in regards to I do believe that the Luna  
2 Charter School would be a benefit from students. I  
3 come from a background where I worked at a private  
4 Christian academy in Mora with a pastor. Then he  
5 relocated out of state and it closed.

6 Our first year, we were at maximum, and  
7 there was a waiting list. The reasons for those  
8 were, one, disappointment with some of the education  
9 of the schools. Some had different learning  
10 techniques, and the academies were able to provide  
11 an opportunity to meet the needs of those students  
12 and family members. My children, themselves,  
13 attended the academy. And my reason for that was  
14 because when I was in the high school, I was a  
15 supervisor. Students came in with a third- and  
16 fourth-grade reading level.

17 You need a minimum of at least an  
18 eighth-grade reading level to be able to be  
19 successful in life. So that's what my choice, as  
20 parent, was to provide that opportunity for my  
21 children. I had a brother-in-law who, my  
22 father-in-law passed away when he was in high  
23 school. The counselor, at that point in time, told  
24 him, "Take time off. Come back when you're ready."  
25 You don't tell that to a child, because, at that

1 point, they're still maturing. To this day, he has  
2 not returned to school, wished he had that  
3 opportunity.

4 I work with over 700 students from all the  
5 way up to Cuba down to Santa Rosa. And I do meet  
6 with a lot of young mothers who are trying to go to  
7 school, went to a local academy, the -- and which  
8 it's nationally accredited. The credits were not  
9 accepted by the high school. And you have 17 years  
10 old young women, mothers wanting to get their  
11 education, provide for their recall family who are  
12 reclassified freshmen. I believe in retention, but  
13 I think that that is a challenge. And I am happy  
14 that they're willing to come back and get their  
15 education.

16 I believe that this charter school would  
17 meet the different and diverse needs of students.  
18 Right now, when the charter school, Bridge Academy,  
19 closed here in Las Vegas, I tried doing outreach. I  
20 was just in the community. I met with about eight  
21 of the students who should junior, senior status,  
22 not attending school right now. We have a lot of  
23 home schooled students that could take advantage of  
24 this charter school.

25 So I do ask that you take into

1 consideration those needs of those students who are  
2 out there, who want the opportunity but just don't  
3 have it at this point. So I am in support, and I  
4 want to thank you for your time, and I appreciate  
5 your attention. Thank you.

6 THE CHAIR: Thank you. I thought there  
7 was somebody that I said I'd do next here. Is there  
8 somebody? Is there anybody else, then, who wishes  
9 to -- yes.

10 MS. ULIBARRI: Madam Chairman, Committee.  
11 My name is Darlene Ulibarri, and I am the Assistant  
12 Superintendent for the Pecos Independent School  
13 District. I am a West Las Vegas High School  
14 graduate. And, I was educated and raised by  
15 Las Vegans. I have three daughters, two of which  
16 went to school at Luna Community College and one who  
17 goes to school at UNM.

18 And although they were successful in  
19 school, it's not my time to talk about my children,  
20 but more to ask the committee to focus on the lack  
21 of the details in the Luna strategic plan. We had a  
22 president of a college and a vice president of the  
23 college with 15 minutes to impress upon people in  
24 the audience as well as the committee that they are  
25 providing something different, something

1 stimulating, something unique. I heard no detail.

2 People and businesses can do well when  
3 there's a plan, a time line. People respond. I  
4 didn't hear any of that. I haven't read any of  
5 that. And I didn't scan any of that in the  
6 application. We're assuming, as a group of people,  
7 that their curriculum is set. Nobody representing  
8 Luna at the table today gave us any kind of idea  
9 that they're going to do something different that we  
10 haven't done, or, through our partnerships with  
11 them, that we aren't already doing.

12 So I ask why. Why? Why take an  
13 opportunity through approving an application on a  
14 chance that a community college charter school can  
15 do a better job than several districts are already  
16 doing as a partner with that charter school? With  
17 the lack of the detail in that technical piece is  
18 why people on the public education side are  
19 concerned.

20 Yes, in the end, it will come to  
21 enrollment. Yes, enrollment will translate itself  
22 into dollars. But when push comes to shove today, I  
23 didn't hear anything that would motivate me, as a  
24 parent, to say, "I would like to send my student  
25 there." Thank you.

1 THE CHAIR: Thank you. Yes, ma'am.

2 MS. BROWN: It's with some hesitation that  
3 I come up here to speak to you. But good evening,  
4 Madam Chairman and Commission. My name is Wilma  
5 Brown, and I'm a local attorney. And one of the  
6 things that I -- I also graduated from Robertson  
7 High School. I've been a teacher forever, as well  
8 as being an attorney. I teach for Luna Community  
9 College, and I also teach for Highlands University.

10 I've taught for the West Las Vegas school  
11 system and the East Las Vegas school system, and I  
12 I'm a graduate of the East Las Vegas school system.  
13 What I hear in the voices here, especially from the  
14 superintendents, is fear. They're going to take our  
15 students away from us, and we're going to lose money  
16 and then we're not going to be able to provide the  
17 programs that we're providing.

18 I deal with a lot of teenagers, mostly  
19 boys, in the juvenile justice system. I'm also  
20 responsible for having started the juvenile drug  
21 court, because there wasn't a treatment program  
22 available in this community for kids. If they're  
23 not going to treat their problems, they're going to  
24 kick them out. And that's what I found over and  
25 over again with these boys is that they were kicked

1 out of the school system.

2 They jumped from West Las Vegas to East  
3 Las Vegas back to West Las Vegas. And jumping back  
4 and forth, they were losing credits. They weren't  
5 receiving an education. Probably the kids' fault.  
6 That's what I was told. They didn't have any  
7 encouragement from home, and they certainly didn't  
8 have any encouragement from their teachers. They  
9 were problem children, and nobody likes dealing with  
10 problems. Nobody likes change.

11 When I started teaching for Highlands  
12 University, they said, "You're going to have to  
13 teach your class on the Internet." And I said, "Oh,  
14 no. Can't do that. I want face-to-face. I can't  
15 tell if my students are learning anything unless I  
16 can see the expression on their face."

17 Well, after about two sessions I decided,  
18 "Hey, I can do this. It's something different."  
19 I've learned how to do it, and now, I'm more  
20 comfortable with it. And that's what I hear today.  
21 Nobody's comfortable with it because they weren't  
22 included in the planning process. They didn't have  
23 any input. They've had the opportunity to have  
24 input into other charter schools, including the  
25 other charter school that folded because of lack of

1 money.

2 I've worked with other kids that went to  
3 that school. They told me that's the first time  
4 they've been heard by any of their teachers. That's  
5 the first time that their education mattered to the  
6 people they had to work with. It's not 100 percent.  
7 Sample of two. But if this thing is happening over  
8 and over again, where there are some kids may not  
9 have dropped out physically, but have dropped out  
10 mentally from their classroom, then something needs  
11 to be done.

12 And Las Vegas hasn't changed a bit since I  
13 left here in -- well, it seems like 100 years ago.  
14 It was 1977, came back in 1991. There wasn't much  
15 difference in what was happening in the school  
16 system. There wasn't much difference in attitude of  
17 the students, and there wasn't much difference in  
18 what was happening.

19 There were students who make it through  
20 school. Each school district can say they have  
21 doctors, they have lawyers, they have all these  
22 professional people. But what about the majority  
23 that stayed here? I'll tell you where they're  
24 working. They're working at the medical center --  
25 excuse me -- the New Mexico Behavioral Health



1 Institute. I was their attorney for two years. We  
2 had a very difficult time filling positions in that  
3 facility, simply because the quality of the person  
4 that came could not read, they could not write, they  
5 could not observe, and they were only there for the  
6 retirement benefits that they hoped that they could  
7 stay in the background and earn so that they could  
8 retire in 20 years. That does not provide for  
9 quality services.

10 What we need is a bigger pool of  
11 employees. That was what I kept getting told over  
12 and over again. But we need a bigger pool to pick  
13 from, to choose the employees that could actually do  
14 the job. That wasn't happening here. So they had a  
15 lot of people from out of state, from out of area  
16 that came and took the more important jobs at the  
17 Behavioral Health Institute because we didn't have  
18 the qualified people here. I don't know about you.  
19 That says something's not working. I support the  
20 charter school.

21 THE CHAIR: Thank you, ma'am.

22 MS. BROWN: You're welcome.

23 THE CHAIR: Is there anyone else? This,  
24 then, concludes Item 8 of community input. We're to  
25 Item 9 on the agenda. At this time, the Public

1 Education Commission reserves time to address any  
2 questions that the Commissioners may have of the  
3 Applicant. So if the applicants will return to the  
4 table, it would be appreciated.

5 I will ask you to please keep your  
6 responses as brief as possible to allow for  
7 questioning from other Commission members.

8 THE CHAIR: We have a new face. We need a  
9 name.

10 MR. BEATTY: My name is Robert Beatty.  
11 I'm a consultant with the charter school  
12 application. I am the Director of Robert F. Kennedy  
13 Charter School in Albuquerque, and I've worked on a  
14 number of charter applications.

15 THE CHAIR: Thank you, sir. We needed  
16 that for the record. All-righty. We have  
17 Commissioners. You have an opportunity. Mr. Carr,  
18 we'll start with you.

19 MR. CARR: I have quite a few questions.  
20 Some of them, you probably can answer yes or no.  
21 But -- the -- you've kind of given me a, you know, a  
22 pretty broad stroke of what you're going to do  
23 differently. I've heard some things. But what are  
24 some specific examples that you are going to do  
25 differently than what is already provided by the

1 local schools?

2 DR. MARTINEZ: One major component is to  
3 align the high school curriculum with dual credit  
4 courses. And that's unique in this respect. Let me  
5 give you an example. What we're looking at is, for  
6 example, the science class. We want to align the  
7 science curriculum within the high school with the  
8 science curriculum within the college in order to  
9 offer the dual credit.

10 When the student enrolls for that science  
11 class, not only are they earning high school credit,  
12 they're earning college credit. So what that means  
13 is it brings the -- a high level of accountability,  
14 because what is taught within that high school  
15 curriculum has to reflect -- the information has to  
16 reflect what was in that college course. So it's  
17 bringing -- first of all, partnership with the high  
18 school instructor and the college instructor in  
19 respect to the information that needs to be -- that  
20 needs to be taught. In other words, they have to  
21 not only meet the high school requirements, but in  
22 order to receive college credit, they have to meet  
23 the requirements of the college credit.

24 MR. CARR: Isn't that the way all dual  
25 credit classes work?

1 DR. MARTINEZ: That is correct. That is  
2 correct.

3 MR. CARR: So how -- well, then, my  
4 comeback question is, then, how is that different?

5 DR. MARTINEZ: We don't have that many  
6 science courses dual credit within the high school.

7 MR. CARR: So you offer more, a wider  
8 range of science classes? As an example, you offer  
9 a wider range of dual credit, or you want to --

10 DR. MARTINEZ: That's correct, sir.

11 MR. CARR: Okay. Let's see. Do you -- do  
12 you intend to offer any online classes?

13 DR. MARTINEZ: Yes. Yes.

14 MR. CARR: I know you're already doing it  
15 at Luna College.

16 DR. MARTINEZ: Yes, sir.

17 MR. CARR: What percentage of these -- of  
18 your total enrollment in the high school would  
19 you --

20 DR. MARTINEZ: Right now, our projection  
21 within the first year, roughly 100; 100 students.  
22 Now, we want to utilize distance learning and IT,  
23 interactive television, to meet the needs of  
24 satellite areas. Right now, in the application, we  
25 have identified Mora, Santa Rosa, and Springer as

1 our satellites. And the reason for that is we  
2 already have established facilities within those  
3 communities.

4 So, for example, let's just use Springer  
5 for an example. If there is a need out there, if  
6 there are students that want the service, then they  
7 can attend -- they don't have to come to the main  
8 campus. They can attend right there in Springer.  
9 And we will utilize a variety of instructional  
10 methods, having an instructor there, interactive  
11 television and distance learning.

12 Right now, we have a Title V grant. And  
13 we started off in our distance learning with the  
14 basic WebCT, and we have moved up to Blackboard,  
15 Wimba. The point I'm trying to make is we continue  
16 to make advancements into our distance learning.  
17 We're at a point now where our students can see our  
18 instructor via the Internet. So we are fortunate to  
19 have an excellent distance learning program and also  
20 an outstanding IT program.

21 MR. CARR: Okay. Along those lines, I  
22 noticed you have prerecorded classes.

23 DR. MARTINEZ: Right. We haven't  
24 initiated that yet. But we're looking at that as an  
25 option down the line.

1 MR. CARR: And I'm getting -- and I  
2 noticed a lot of -- a few interesting waivers. And  
3 I -- we had -- read this -- actually, our  
4 chairperson had read this into the record in  
5 Albuquerque. There are specific waivers that, if  
6 you ask, we have to -- or the Secretary of Education  
7 has to allow. There are some waivers that may or  
8 may not be granted. There are some -- but there's a  
9 specific list. There's a specific itemized.

10 Some of these waivers didn't seem to fit  
11 into those typical waivers that could be waived. I  
12 notice there was a waiver on religion in schools.  
13 What is -- what do you plan to do there?

14 MR. BEATTY: It wasn't actually -- the  
15 waiver is simply there. It doesn't mean that any  
16 religious classes would be taught. Right? And the  
17 waivers don't have to be accepted as part of the  
18 charter. It could be conditional to not have them.

19 MR. CARR: Okay. I'm not -- it sounds  
20 like you're leaving it open to you could do some --  
21 I don't understand --

22 MR. BEATTY: That's right. Depending on  
23 the community that was going to be served. But the  
24 idea was not to be offering religious classes. The  
25 waiver was simply there to allow this planning year

1 to happen and for the details to be worked out. And  
2 most of the waivers are for that reason. There's no  
3 intent to teach religious classes at the school.

4 DR. MARTINEZ: That's correct.

5 MS. LOPEZ: Okay. And so that goes down  
6 to some of these other waivers. One, I won't laugh  
7 about. A flag waiver. How are you going to display  
8 the flag? Or are you not going to display the flag?

9 MR. BEATTY: There are satellites  
10 throughout the state. There may or may not be a  
11 flagpole at one of the satellites.

12 MR. CARR: There's a requirement to have  
13 one in every classroom, not just a flagpole.

14 MR. BEATTY: But the waiver would be if  
15 the facility had a flag on a flagpole. It's not  
16 about flags in a classroom. David Cargo Library is  
17 the satellite in Mora?

18 DR. MARTINEZ: That's correct.

19 MR. BEATTY: If there's a satellite  
20 identified and a community center identified, and it  
21 may or may not have a flag. There may be a  
22 community location that may not have a flag there in  
23 every classroom.

24 MR. CARR: Okay. Yeah. But why not?

25 MR. BEATTY: Well, they -- well, they may

1 not have it there. Right?

2 MR. CARR: Okay.

3 MR. BEATTY: If --

4 MR. CARR: I'm sorry.

5 MR. BEATTY: In a traditional school, you  
6 have a flag in every classroom. But if somebody  
7 says, "We'd like a couple of classes here," I don't  
8 know. It may be an incarceration facility where  
9 they may not have a flag.

10 MR. CARR: Okay.

11 MR. BEATTY: And in that education pod,  
12 there may not be flags, for whatever reason they  
13 have -- right? -- to be there. And so that provides  
14 that room for those situations.

15 MR. CARR: Okay. I don't want to belabor  
16 that point.

17 MR. BEATTY: No. But it is a good  
18 question.

19 MR. CARR: I would like to see a flag in  
20 every class.

21 MR. BEATTY: So would I.

22 MR. CARR: Animals? A waiver for animals?

23 MR. BEATTY: It opens the possibility for  
24 husbandry classes in a rural situation.

25 MR. CARR: Oh, okay.



1 MR. BEATTY: Your restrictions -- you're  
2 not supposed to have reptiles in an aquarium.

3 MR. CARR: Right. All right. I  
4 understand. Okay. This was a particular concern to  
5 me. Grievance procedures.

6 MR. BEATTY: It's within the charters,  
7 it's outlined the grievance procedures, the  
8 governance council is the appeal, as opposed to the  
9 typical district grievance procedure.

10 MR. CARR: Do you have a -- I didn't see a  
11 procedure laid out in the application.

12 MR. BEATTY: There should be one as part  
13 the employee handbook.

14 MR. CARR: Is it in the employee handbook?

15 MR. BEATTY: I believe it is.

16 MR. CARR: Okay. Let's see. And the age  
17 of students was another waiver. I'm trying to work  
18 through these. How -- how old will you -- I mean,  
19 is there no limit on that one? You don't know age  
20 limit?

21 DR. MARTINEZ: We do not specify how old  
22 within the application. We did indicate that they  
23 had to be classified as juniors or seniors.

24 MR. CARR: Okay.

25 MR. BEATTY: So, currently, there is no

1 upper age limit.

2 MR. CARR: Have you seen any problem with  
3 a 40-year-old being mixed in with eight 16, 17, 18  
4 year-olds?

5 MR. BEATTY: Sure. I graduated a  
6 grandmother from my charter school. She was 42  
7 years old. She was a young grandmother. She came  
8 to the evening program. She was one of the best  
9 models I could have had in the class. And when she  
10 applied to my school, I said, "Ma'am, you're kind of  
11 old" -- and she explained.

12 MR. CARR: You said that?

13 MR. BEATTY: I did, because it was a very  
14 awkward situation. And she said, "You know, my  
15 daughters didn't graduate, and they didn't get their  
16 GED. They told me that they didn't have to because  
17 I didn't." And that was all I needed to hear. I  
18 found an accommodation for her. I put her in the  
19 evening program. She spoke at graduation. The  
20 following year, her daughters got their GEDs.

21 MR. CARR: I take it you have full  
22 permission to talk --

23 MR. BEATTY: I'm sorry.

24 MR. CARR: I'm sure you'd speak up if I  
25 was saying something.

1 MR. BEATTY: He'd tap me on the shoulder.  
2 I'm sorry. I get enthusiastic.

3 MR. CARR: Two more waivers. The outside  
4 the district. You want to -- you want to be able to  
5 take students from outlying districts. And I think  
6 you've kind of already explained that. But that  
7 does not, as far as I understand, fall into one of  
8 the waivers that can be waived. I'll get further  
9 clarification on that from our attorney.

10 DR. MARTINEZ: Okay.

11 MR. CARR: But what -- I mean, have you  
12 talked to legal counsel on that one? Have you --  
13 has anybody said anything to you about it, by going  
14 out of the district, that waiver, that particular  
15 waiver?

16 DR. MARTINEZ: Right now, we're looking at  
17 serving Las Vegas -- basically, the geographical  
18 area that Luna Community College serves. But to  
19 answer your question, we haven't received any advice  
20 from legal counsel.

21 MR. CARR: Okay. All right. Last one.  
22 Tobacco policy. Are you going to let your kids  
23 smoke in class?

24 DR. MARTINEZ: In class, no.

25 MR. CARR: Why would you want a waiver on

1 the tobacco policy? Matter of fact -- I mean, it's  
2 against the law to smoke in any public building in  
3 the State of New Mexico.

4 DR. MARTINEZ: That is correct. I'm  
5 trying to remember.

6 MR. BEATTY: It was simply a matter of  
7 where the classrooms might be located, and if they  
8 had a -- a smoking policy, that it wouldn't mean  
9 that the students were allowed to smoke. But it  
10 could be a facility where there was some sort of a  
11 smoking area, that they allowed other students to  
12 do, that would be in conflict.

13 So the idea is not to allow the students  
14 to smoke. But the smoking policy could be in  
15 conflict if there was some satellite set up  
16 somewhere where they had a smoking policy that  
17 conflicted with the State law.

18 MR. CARR: Do you allow smoking at the  
19 Luna Community College?

20 DR. MARTINEZ: We have designated areas.

21 MR. CARR: Outside areas.

22 DR. MARTINEZ: Outside.

23 MR. CARR: All right. Thank you.

24 THE CHAIR: Thank you. Ms. Krivitzky, and  
25 then Ms. Shearman.

1 MS. KRIVITZKY: Hello, Robert. I haven't  
2 seen you for a while.

3 MR. BEATTY: How are you?

4 MS. KRIVITZKY: Fine. I just have a few  
5 questions on the budget. And they're not -- I'm  
6 sorry. One of them just jumped out right away is  
7 that your revenue is \$141,000 more than your  
8 expenses. Is there a reason for that?

9 MR. BEATTY: Which year? I don't have a  
10 copy.

11 MS. KRIVITZKY: I think I only looked at  
12 the first year.

13 MR. BEATTY: The first year, there's quite  
14 a bit of additional revenue.

15 MS. KRIVITZKY: Okay. So you didn't just  
16 want to stick it somewhere?

17 MR. BEATTY: There's a planning year here.  
18 There's going to be all kinds of pieces program to  
19 be developed. It's better to be in that situation.  
20 My concern is more toward the other end of the  
21 budget, where there's a shortfall.

22 MS. KRIVITZKY: Okay. I also notice that  
23 you put \$140,000 in special capital outlays.

24 MR. BEATTY: That's the least -- they told  
25 me to try to find a place to put it.

1 MS. KRIVITZKY: You put it in 31400. It  
2 should be in 31200.

3 MR. BEATTY: That calculates to 200  
4 students at \$700 a student.

5 MS. KRIVITZKY: Also, I notice that you  
6 didn't show an FTE for a business manager. But it  
7 is mentioned on Page 40 in your organizational  
8 chart. So it's in the organizational chart, but  
9 it's -- and it is not anyplace else.

10 MR. BEATTY: Right. And so at the time of  
11 the submission of the charter, there was still  
12 communication with the community college and its  
13 board of trustees.

14 DR. MARTINEZ: Right.

15 MR. BEATTY: And so it may be that that's  
16 contracted through Luna Community College. But  
17 there is sufficient money in the budget to add it as  
18 an FTE.

19 MS. KRIVITZKY: Okay. Which brings me to  
20 the fact that you don't show any FTEs on your  
21 budget. Is there some reason?

22 MR. BEATTY: It's a mistake on my part  
23 then. I did list the FTEs, though.

24 MS. KRIVITZKY: You did. And that's what  
25 I saw. I saw ten teachers and one special ed

1 teacher and so forth. I noticed you put down a  
2 financial clerk, but I didn't see it in the budget.  
3 But I did see money at several -- four other places.

4 MR. BEATTY: That could be used as  
5 contract services.

6 MS. KRIVITZKY: One was a financial clerk.

7 MR. BEATTY: Right.

8 MS. KRIVITZKY: They could have been  
9 almost anything. You don't have the budget in front  
10 of you. So I was just curious about -- you have a  
11 subject matter specialist?

12 MR. BEATTY: Right.

13 MS. KRIVITZKY: With no FTE.

14 MR. BEATTY: That's an instructional  
15 coach. Uh-huh.

16 MS. KRIVITZKY: Okay. But you have them.

17 MR. BEATTY: I have my organizational  
18 chart here.

19 MS. KRIVITZKY: Yes. You have your  
20 organizational chart, but I don't see them on the  
21 budget is what I'm saying.

22 MR. BEATTY: Right.

23 MS. KRIVITZKY: So --

24 MR. BEATTY: The idea is to have it there.

25 It may not be funded the first year. I believe if

1 you looked -- if you looked further out on the  
2 budget, it was a position that was added in the  
3 second or third year.

4 MS. KRIVITZKY: So you have FTEs in the  
5 other years?

6 MR. BEATTY: Yeah. It grows, because it's  
7 additional students added.

8 MS. KRIVITZKY: But not for the teachers  
9 or special ed.

10 MR. BEATTY: Yes. That was just the  
11 initial start-up. Additional teachers.

12 MS. KRIVITZKY: I don't see year two or  
13 three or four for teachers.

14 MR. BEATTY: In the line item for  
15 salaries?

16 MS. KRIVITZKY: Yeah. 11000, 1000, 51100,  
17 1411, 1412. There's no FTEs.

18 MR. BEATTY: The number of FTEs is not  
19 there. But the salaries are there.

20 MS. KRIVITZKY: Oh, definitely.

21 MR. BEATTY: And it stays at 20 to 1.

22 MS. KRIVITZKY: Okay. And I also  
23 noticed -- okay. So you were saying that you were  
24 thinking Luna College will cover the business  
25 manager position, basically handle payroll,



1 quarterly reports, BARs and purchasing.

2 MR. BEATTY: I'm not saying that. I'm  
3 saying that would be decided during the planning  
4 year. Right?

5 MS. KRIVITZKY: Oh, okay.

6 MR. BEATTY: That's not for me to decide.  
7 I left it open in the application.

8 MS. KRIVITZKY: Oh, okay. Thank you.

9 THE CHAIR: Thank you. Ms. Shearman.

10 MS. SHEARMAN: I just have one other  
11 question on the budget, thank you, Commissioner  
12 Krivitzky. You have a line item in here for rental,  
13 land, and buildings.

14 MR. BEATTY: Yes.

15 MS. SHEARMAN: Starts at 140, goes to 210,  
16 280, 350. Is that purchasing a building?

17 MR. BEATTY: No. There is a -- there is a  
18 lease reimbursement from the legislature at \$700 a  
19 student. And so if -- if there was property being  
20 leased from Luna Community College, then that money  
21 would be paid to them. You turn the lease in, and  
22 the money is released. It's a reimbursement. And  
23 so it's calculated based on \$700 a student. It's a  
24 formula that's part of the lease reimbursement  
25 funding.

1 MS. SHEARMAN: Okay. Well, that's a big  
2 investment, if you're not purchasing the building,  
3 it would seem to me. But --

4 MR. BEATTY: Agreed. And it could be  
5 used. It could be used to lease-purchase property.

6 MS. SHEARMAN: But in this case, it's not.

7 MR. BEATTY: That money is generated.  
8 Whether it's used to build a building and pay the  
9 finance or whether it's used to lease property, that  
10 money is available because of the lease.

11 MS. SHEARMAN: The decision has not been  
12 made?

13 MR. BEATTY: Yes. Nor is it my decision.

14 DR. MARTINEZ: Yes. Correct. A decision  
15 hasn't been made.

16 MS. SHEARMAN: Okay. I remember -- when  
17 you were talking a minute ago about aligning, say, a  
18 science class, college-level, with a high school  
19 class, to make it where they could take it for dual  
20 credit and get core credit on the high school  
21 level -- and I remember reading in your application  
22 where you talked about that. And you said you were  
23 going to ask for approval from PED -- I don't  
24 remember the exact words. But it's not something  
25 that is approved to do right now? You can't -- dual

1 credit is not core courses. Do I remember you  
2 saying that in your application?

3 MR. BEATTY: (Indicates.)

4 MS. SHEARMAN: Okay. So that hasn't been  
5 approved? It's something you're working on, hoping  
6 to do?

7 MR. BEATTY: It will be done during the  
8 planning year. And college courses are not always  
9 generally aligned with high school standards.

10 MS. SHEARMAN: Generally, they ought to be  
11 a higher level.

12 MR. BEATTY: But they should then meet  
13 those high school standards. Right?

14 MS. SHEARMAN: If the content --

15 MR. BEATTY: Yes, if the content was  
16 aligned. So it would be a matter of the two  
17 departments working together to align those to make  
18 sure they covered all high school standards.

19 MS. SHEARMAN: But you still need PED  
20 approval to get college credit for the core courses.

21 MR. BEATTY: To award high school credit  
22 for that material, because that material currently  
23 is not aligned with high school standards.

24 MS. SHEARMAN: A high school core course.  
25 Okay. Commissioner Carr asked you a minute ago what

1 percentage of your classes are going to be online.  
2 And I'm talking strictly online, not ITV, strictly  
3 Web-based. Do you --

4 DR. MARTINEZ: I don't know the specifics.  
5 It would be based on when students come in as --  
6 let's say, for example, classified as eleventh  
7 graders, where their situation is at; in other  
8 words, how many credits do they have in a specific  
9 field. We might have a situation where a student  
10 does not have access to the main campus. Then maybe  
11 the alternative there is to provide that educational  
12 service via Internet. I don't have a rough -- I  
13 don't have a number. All I'm saying is that that  
14 should be an opportunity to meet the needs of -- of  
15 the student.

16 MS. SHEARMAN: I'm just concerned, and I'm  
17 sure you're well aware there's a prohibition against  
18 the entire coursework being online. You're aware of  
19 that. Okay?

20 DR. MARTINEZ: Yeah.

21 MS. SHEARMAN: You already have online  
22 classes --

23 DR. MARTINEZ: That's correct.

24 MS. SHEARMAN: -- at Luna. What process  
25 do you use at Luna, or would you use in this charter

1 school with online classes, to insure that the  
2 enrolled student is the one actually doing the work  
3 and taking the test? You smile. We've all been  
4 there, haven't we?

5 DR. MARTINEZ: That has been an issue that  
6 we have -- are currently looking at. It's been an  
7 issue for the last year. It's a major concern as  
8 the VP of instruction for Luna Community College.  
9 Several -- we're upgrading technology. Right now,  
10 we have specific classes that we allow distance  
11 learning. What we're looking at is the  
12 interaction -- we're using Wimba. We're using Wimba  
13 now. It's not just e-mail, e-mail back and forth.  
14 The instructor has to see that student on the other  
15 side.

16 Now, with the charter school, we want to  
17 have -- if we can -- now, I know sometimes we won't  
18 be able to do this. But we want to be able to have  
19 that support within that area. For example, if a  
20 student -- if we're offering a course Internet, and  
21 we have a group of students in the Mora area, we  
22 want to make sure that there's someone there to  
23 facilitate that -- that process, that -- if there's  
24 any student needs or any technological problems and  
25 so forth.

1           Now, what we have initiated at Luna is  
2           that when a student takes a class online, they don't  
3           complete the entire work online. A portion of the  
4           curriculum is delivered online. But then they have  
5           to meet with the instructor for examinations,  
6           discussions, and so forth.

7           So there -- and it's not just an issue at  
8           Luna. I'm looking at this statewide issue with  
9           distance learning. And as we continue to move  
10          forward in distance learning, these are issues that  
11          we have to address. Dr. Breslin, she is our  
12          representative for accreditation of our institution  
13          through NCA. And this is a major issue, as we  
14          continue to expand our distance learning delivery to  
15          students, that we have to have those, if you will,  
16          those tools or those -- what's the word I'm looking  
17          for -- to make sure the quality of education is  
18          there.

19                 MS. SHEARMAN: I appreciate that. Thank  
20                 you very much.

21                 THE CHAIR: Thank you.

22                 DR. MARTINEZ: I'm sorry.

23                 THE CHAIR: Mr. Bergman?

24                 MR. BERGMAN: No. I think not.

25                 THE CHAIR: Mr. Garrison?

1 MR. GARRISON: (Indicates.)

2 THE CHAIR: Ms. Smith? Yes. Thank you.  
3 I'm looking at Page 7 of your application that is  
4 the abstract of the proposed charter school. And I  
5 will have to tell you, I continue to be puzzled,  
6 even following your presentation, about an early  
7 college high school and that you will actively  
8 recruit eleventh or twelfth grade students from  
9 throughout the community college service area. And  
10 they have to be able to document their grade level  
11 status through transcripts as having completed  
12 eleven credits.

13 And then I'm listening to the various  
14 superintendents in this same area from whom you  
15 would like to recruit your students. And I'm  
16 hearing their concerns. And I'm hearing them and  
17 believing that they do have merit.

18 And so I'm looking to try to figure out --  
19 in part of the testimony, it seems to me that you  
20 talked about students who were having difficulty,  
21 remedial class students, students are having  
22 difficulty to -- in what would appear that they're  
23 having trouble in finishing high school. And I'm  
24 having a difficult time understanding what  
25 population we're really talking about here. Who are

1 these kids going to be?

2 Are they going to be the kid who wants  
3 early admission to college, or the kid who's  
4 probably going to drop out? I think those are  
5 probably the two extremes. So help me understand  
6 that.

7 DR. MARTINEZ: We're going after students  
8 that are not in the public school system. For some  
9 reason, they dropped out. They're not there.  
10 They're not attending school. They don't have their  
11 high school diploma. That's the population --  
12 that's the target population that we're going after.  
13 A good example, one of the presenters mentioned that  
14 the -- I think it was Bridge Academy that closed,  
15 that shut down. And she indicated that there was  
16 maybe nine or ten students. Where are they now?  
17 Where are they? Are they attending any school?  
18 They're not doing anything.

19 That's the target population. San Miguel  
20 County and Mora County, throughout the State of New  
21 Mexico, are identified as -- I don't know if they're  
22 at the highest -- at the top of the list or close to  
23 that in poverty. I was born and raised in this  
24 community. I'm a product of the West Las Vegas  
25 School District. And as I visit with people, there



1 is a population out there that's not being served.  
2 And that's where -- that's our target. We want to  
3 serve those individuals, those individuals that are  
4 not being served. That's who we're going after.

5 THE CHAIR: But you will accept the  
6 others. Is that correct?

7 DR. MARTINEZ: Now, as a public  
8 institution, can we deny?

9 THE CHAIR: I'm not going to answer your  
10 question for you.

11 MR. BERGMAN: Madam Chair, now I'm ready  
12 to jump in when you're done. Now I'm ready to jump  
13 in.

14 THE CHAIR: Well, I tell you what. I'll  
15 give you an opportunity in a moment, Mr. Bergman.  
16 I'm serious. I am not going to answer your  
17 question. That's not my role to answer questions  
18 from you. My role is to try to discern what you  
19 want to do and try to understand if I'm going to  
20 cast a vote for your application or against your  
21 application. And I thought that I set that out very  
22 clearly at the onset of this hearing.

23 So I am supposing from that that you and I  
24 will just stop it at that, and we'll -- we'll --  
25 we'll not listen to that. Mr. Bergman, please go

1 ahead.

2 MR. BERGMAN: And I'm not answering your  
3 question. This thought had occurred to me before  
4 you said that. And Dr. Duran, if I misspeak, feel  
5 free to correct me, sir.

6 DR. DURAN: Don't you worry, Mr. Bergman.

7 MR. BERGMAN: Here, again, my  
8 understanding is that's where the potential danger  
9 may come from. It's my understanding that a charter  
10 school cannot have admission policies. So even  
11 though you wish to target dropouts, anybody that  
12 applies, if you haven't fulfilled your lottery, is  
13 more than likely going -- probably has to be  
14 accepted.

15 So you -- even if that's not your target  
16 audience, the dropouts, you're liable to take some  
17 active students from these small schools, whether  
18 you want them or not, whether that's a part of the  
19 audience that you're trying to reach. And, to me,  
20 that's where the danger comes in. That's what I  
21 mean.

22 DR. MARTINEZ: If I -- and my opinion  
23 here, as I go around the state -- I went to school  
24 in Las Cruces. And I see what's happening in  
25 Rio Rancho. I see what's happening in Albuquerque

1 and Santa Fe. And to be candid, I believe that this  
2 area is behind compared to the rest of the state.  
3 Economically, socially, we are behind. We don't  
4 have the economic, if you will, stimulus that other  
5 communities have.

6 And I want -- as an educator, I want to  
7 provide the best opportunity that we can to our  
8 students. We have students that graduate from here  
9 and leave this community. And I'm -- my question  
10 is, are they prepared. If they go to UNM, if they  
11 go to New Mexico State, are they prepared. Earlier,  
12 I had a list of documents of all the articles, how  
13 our public school system is being criticized. They  
14 say we're behind here, we're behind there.

15 I'm a product of West Las Vegas High  
16 School. I think we have excellent school districts.  
17 But all I'm saying is giving parents and students a  
18 choice to -- to be successful in our changing  
19 economy. Isn't it about opportunity? Isn't it  
20 about -- can't we give that student the opportunity  
21 to say, You know what? I didn't make it in high  
22 school. I want to go to this traditional route, and  
23 I want to earn my high school diploma. If it's  
24 going to school during the day, in the evening, and  
25 I want to go within a specific field.

1           Earlier, Mr. Carr mentioned how is this  
2 unique. It's unique because we're giving students  
3 different choices. Our institution at Luna  
4 Community College, we offer 43 different programs of  
5 study, 43 different programs of study. And I want  
6 to give those students an opportunity to choose an  
7 elective. Not all of our students want to go to  
8 college and go to UNM or go to New Mexico State and  
9 earn a bachelor's degree and master's degree. They  
10 want a specific skill. They want to earn their  
11 diploma and earn a basic skill so they can provide  
12 for their families.

13           And I apologize if the superintendents  
14 feel that we're going to take from them. But it's  
15 not about me, and it's not about them. It's about  
16 those students. It's about giving opportunity. And  
17 I see what Las Cruces is doing. I read an article  
18 that they're going to -- 500 students, entry level,  
19 they're going to get them their diploma and  
20 associate's degree. And I go, "My God, look what  
21 they're doing in Las Cruces, look at the charter  
22 schools in Albuquerque. Look at what was going on  
23 in other parts of the state." I said, "What about  
24 Northern New Mexico? What about our area? Don't we  
25 have a right to be competitive? Don't we have a

1 right for opportunity?"

2 A gentleman said he felt nothing had  
3 changed since the 1960s. It is my obligation, it is  
4 my commitment as an educator that we do not just  
5 serve a specific group of people. We have to serve  
6 our community. We have to serve our community. I  
7 heard President Obama making a comment the other day  
8 about the future is within these community colleges.  
9 And as I keep reading these articles, how we're --  
10 they rank us always last in everything, last and  
11 last. And all I'm saying is let's try something  
12 different here.

13 Now, it's a public institution.

14 THE CHAIR: Let's limit our conversation  
15 here, please.

16 DR. MARTINEZ: It's a public institution.  
17 Our target audience are those that have dropped out.  
18 Governor Richardson made a -- I read an article that  
19 he wants the 10,000 --

20 DR. DURAN: Madam Chair -- and I remind  
21 the applicants. We understand your passion. We  
22 understand that you want the school. Answer the  
23 questions. Philosophically, we, too, read articles.  
24 Answer the specific question the Commission is  
25 asking about your application.

1 DR. MARTINEZ: I apologize, sir. We are  
2 targeting those that have dropped out that  
3 traditional school is not serving.

4 MR. BERGMAN: I appreciate your passion.  
5 And I suspect everybody in this room, there are  
6 underserved populations in every district in this  
7 state. And yet the students -- you're exactly  
8 right. The students is what we are all talking  
9 about. And we're talking about people who are not  
10 students anymore, which is what you're going after.  
11 And so maybe you perhaps misunderstand my question.  
12 I'm not saying we don't want to go after these kids.  
13 I think we're talking about maybe just a little  
14 different way of doing it.

15 DR. MARTINEZ: Correct. And I apologize,  
16 sir.

17 MR. BERGMAN: I know that you have a way  
18 you want to do it. That's why you're here.

19 THE CHAIR: Mr. Bergman, let's don't  
20 extend that one, please. If you have other  
21 questions, please go ahead.

22 MR. BERGMAN: No, ma'am. I'm done.

23 THE CHAIR: Is there anyone else who has a  
24 question or a comment?

25 MR. CARR: Could I make --

1 THE CHAIR: Yes.

2 MR. CARR: I just kind of want to make a  
3 positive comment. The -- I know that Dr. -- Senator  
4 Campos, he's been an educator, a distinguished  
5 educator for a number of years. I -- Dr. Martinez,  
6 first time I've ever met you. And I know you all  
7 have the greatest intentions. And I applaud you for  
8 wanting to serve the students in this community.  
9 And however the vote turns out, you know, I just  
10 wanted you to know that.

11 DR. MARTINEZ: Thank you, sir.

12 THE CHAIR: Thank you. Any other  
13 Commissioners? Okay. We're to Part 10 of the  
14 agenda. The Commission encourages continued public  
15 input in writing until September 1, 2009, at  
16 5:00 p.m. Written comments should be sent to the  
17 Public Education Commission in care of Beverly  
18 Friedman, 300 Don Gaspar Avenue, Santa Fe,  
19 New Mexico, 87501. Or e-mail comments to Beverly  
20 Friedman at bev.friedman@state.nm.us.

21 The Public Education Commission would like  
22 to thank the community of Las Vegas for their  
23 hospitality. In particular, we thank Highlands  
24 University for the use of their facilities and for  
25 working so cooperatively with our staff. The

1 Commission will recess until tomorrow morning,  
2 August 28th, where we will reconvene at 9:30 a.m. at  
3 Mabry Hall in the Public Education Department  
4 building in Santa Fe, New Mexico.

5 From that hearing, we will go to Taos,  
6 New Mexico. And that is the last scheduled public  
7 hearing in this series of 2009 public hearings.

8 On September 10 and 11, the Commission has  
9 designated those two days -- but our experience, at  
10 least last year, showed us also that we only needed  
11 one. But at any rate, we have designated two days,  
12 September 10 and 11, at the Balloon Fiesta --

13 DR. DURAN: Museum.

14 THE CHAIR: -- Museum off of Alameda in  
15 Albuquerque, for our hearing to make our  
16 determination on the various applications that we  
17 have received and the -- what the public input in  
18 the hearings has determined for each of us  
19 individually. Thank you again very much.

20 (Proceedings concluded at 5:57 p.m.)  
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22  
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24  
25



1 BEFORE THE PUBLIC EDUCATION COMMISSION

2 STATE OF NEW MEXICO

3  
4 IN THE MATTER OF:

5 LUNA CHARTER ACADEMY

6  
7  
8 REPORTER'S CERTIFICATE

9 I, Cynthia C. Chapman, RMR, CCR #219, Certified  
10 Court Reporter in the State of New Mexico, do hereby  
11 certify that the foregoing pages constitute a true  
12 transcript of proceedings had before the said PUBLIC  
13 EDUCATION COMMISSION, held in the State of New  
14 Mexico, County of Bernalillo, in the matter therein  
15 stated.

16 In testimony whereof, I have hereunto set my  
17 hand on September 2, 2009.

18  
19  
20  
21 \_\_\_\_\_  
22 Cynthia C. Chapman, RMR, CCR #219  
23 201 Third Street, NW, Suite 1630  
24 Albuquerque, New Mexico 87102

25 Job No.: 3844D

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